# House File 2086 - Introduced

HOUSE FILE 2086
BY MAXWELL

## A BILL FOR

- 1 An Act relating to water supply and disposal, including the
- 2 construction of disposal and public water supply systems and
- 3 the implementation of federal wastewater and storm water
- 4 regulations.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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      Section 1. Section 455B.174, subsection 4, paragraph a,
 2 subparagraph (1), Code 2016, is amended to read as follows:
      (1) Approve or disapprove the plans and specifications
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 4 for the construction of disposal systems or public water
 5 supply systems except for those sewer extensions and water
 6 supply distribution system extensions which are reviewed by
 7 a city or county public works department as set forth in
 8 section 455B.183. If, during the review of the plans and
 9 specifications for a disposal system, a disagreement arises in
10 regard to whether such plans and specifications satisfy the
11 statewide standards established pursuant to section 455B.173,
12 subsection 8, the applicant may request an interim appeal to
13 the director. If a request for an interim appeal is received
14 by the director, the director shall meet with the applicant and
15 department personnel and shall make a written determination
16 in regard to whether the submitted plans and specifications
17 satisfy the statewide standards and reasonably assure reliable
18 compliance with applicable permit requirements, and whether
19 an exception to the statewide standards is warranted.
20 director shall issue, revoke, suspend, modify, or deny permits
21 for the operation, installation, construction, addition
22 to, or modification of any disposal system or public water
23 supply system except for sewer extensions and water supply
24 distribution system extensions which are reviewed by a city
25 or county public works department as set forth in section
26 455B.183.
              The director shall also issue, revoke, suspend,
27 modify, or deny permits for the discharge of any pollutant, or
28 for the use or disposal of sewage sludge.
                                              The permits shall
29 contain conditions and schedules of compliance as necessary to
30 meet the requirements of this part of this division or chapter
31 459, subchapter III, the federal Water Pollution Control Act
32 and the federal Safe Drinking Water Act. A permit issued under
33 this chapter for the use or disposal of sewage sludge is in
34 addition to and must contain references to any other permits
35 required under this chapter. The director shall not issue or
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- 1 renew a permit to a disposal system or a public water supply
- 2 system which is not viable. If the director has reasonable
- 3 grounds to believe that a disposal system or public water
- 4 supply system is not viable, the department may require the
- 5 system to submit a business plan as a means of determining
- 6 viability. This plan shall include the following components:
- 7 Sec. 2. NEW SECTION. 455B.199D Wastewater or storm water
- 8 systems and plants report on compliance costs.
- 9 1. The department, in conjunction with affected counties
- 10 and cities, shall submit an annual report to the general
- 11 assembly detailing the anticipated costs to such counties and
- 12 cities for construction of or other upgrades to wastewater
- 13 or storm water systems, facilities, or other infrastructure
- 14 required for compliance with United States environmental
- 15 protection agency regulations related to the administration of
- 16 the federal Water Pollution Control Act as defined in section
- 17 455B.171, the federal Clean Water Act and the federal Safe
- 18 Drinking Water Act as defined in section 455B.291, or other
- 19 federal laws relating to wastewater or storm water.
- 20 2. The report shall contain all of the following:
- 21 a. The name of each affected city or county.
- 22 b. The date on which a permit was granted to the city or
- 23 county pursuant to section 455B.103A or 455B.197.
- 24 c. Information on the costs and progress of the most
- 25 recent construction or other upgrades to wastewater or storm
- 26 water systems in each city or county and the remaining debt
- 27 associated with such construction or other upgrades for each
- 28 city or county.
- 29 d. The potential costs to the city or county for any
- 30 required upcoming construction or other upgrades.
- 31 EXPLANATION
- 32 The inclusion of this explanation does not constitute agreement with
- 33 the explanation's substance by the members of the general assembly.
- 34 This bill allows an applicant for construction of a disposal
- 35 system to request an interim appeal to the director of the

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- 1 department of natural resources if a dispute arises during
- 2 review of the plans and specifications for the disposal system.
- 3 If the director receives such a request, the director shall
- 4 meet with the applicant and department personnel. The director
- 5 shall make a written determination regarding whether the
- 6 submitted plans and specifications satisfy statewide standards
- 7 and reasonably assure reliable compliance with applicable
- 8 permit requirements, and whether an exception to the statewide
- 9 standards is warranted.
- 10 The bill requires the department of natural resources to
- 11 work with affected cities and counties to produce an annual
- 12 report regarding the anticipated costs for construction
- 13 of or other upgrades to wastewater or storm water systems,
- 14 facilities, or other infrastructure required for compliance
- 15 with United States environmental protection agency regulations
- 16 related to the administration of the federal Water Pollution
- 17 Control Act, the federal Clean Water Act, and the federal
- 18 Safe Drinking Water Act, or other federal laws relating to
- 19 wastewater or storm water. The report shall contain the name
- 20 of each city or county, the date on which each city or county
- 21 was granted a permit regarding such systems pursuant to Code
- 22 section 455B.103A or 455B.197, an update on the costs and
- 23 progress of the most recent construction or other upgrades to
- 24 wastewater or storm water systems and the remaining associated
- 25 debt, and the potential costs of upcoming construction or other
- 26 upgrades.